

COMMISSION ON CHILDREN'S JUSTICE
MARCH 3, 2003
MEETING MINUTES

Members Present: Judges John Holstein, Chair, Glenn Norton, Vice Chair, Susan Block, Thomas Frawley, Nancy Rahmeyer, Roy Richter, James Welsh; Commissioner John Payne; Senator Pat Dougherty; Representatives Bryan Stevenson and Yvonne Wilson; Julie Cole-Agee, Beth Dessem, Deanna Gallagher, Patrick Lynn, Frank Martin, Steve Renne, Melanie Scheetz, Betty Sims and Andrea Whitfield

Members Not Present: Senators Bill Foster and Anita Yeckel; Representative Catherine Hanaway

Commission Staff Present: Gary Waint, Lynette Ricks and Shawn McCarver

I. CALL TO ORDER/APPROVAL OF MINUTES

The Commission on Children's Justice was called to order by the Honorable John Holstein, Chair, in the Division II Courtroom, Missouri Supreme Court, Jefferson City, Missouri at 10:00 a.m.

The Chair advised members that they would receive copies of all written correspondence received by the Commission. Members who wish to place the correspondence on the agenda for discussion at a future meeting are to advise Gary Waint.

The minutes from the meeting of February 24, 2003, were approved as amended by Judge Frawley.

The Chair welcomed the Honorable Thea Sherry. Judge Sherry will serve as a liaison between the Commission on Children's Justice and the Child Abuse, Custody and Neglect Commission formed last year.

II. SENATE BILLS 43 AND 543

Senator Dougherty made a presentation to the Commission on Senate Bills 43 and 543.

Senate Bill 43 creates the position of State Ombudsman for Children's Protection and Services. The Ombudsman is to receive, process, respond and resolve complaints made by or on behalf of children related to care provided by public or private agencies.

Although not written in the bill, Senator Dougherty advised that it is his intention that the Ombudsman be independent, and not part of the Department of Social Services.

Senator Dougherty related that an issue to overcome is giving the Ombudsman sufficiently broad authority to solve problems across all agency lines, including DFS and juvenile court personnel.

In response to a question by Judge Norton, Senator Dougherty advised that the Governor's

Executive Order placed the Ombudsman position in the Office of Administration.

Ms. Dessem commented that in other states the Children's Advocate is independent, reports to the Governor, and has authority to request a hearing.

Ms. Gallagher expressed that the Ombudsman should be responsible to the legislative, executive and judicial branches.

Patrick Lynn advised that the Governor envisions an initial staff of four to five personnel with a budget of perhaps \$500,000.00. The Ombudsman would be hired for a specific term, and only subject to termination for negligence in office. This would preserve the independence of the office.

Commission members suggested using various resources currently available in order to reduce costs.

Senate Bill 43 also establishes the "Task Force on Children's Justice." The Task Force is to make recommendations to benefit children and provide funding to support the recommendations.

Senator Dougherty continued his presentation by discussing Senate Bill 543, which makes several changes to criminal background checks. Key points of the bill include: amending how background records are maintained; subjecting school support personnel to the same background checks as teachers; inclusion of orders of protection in name-based criminal history checks requested through MULES and NCIC; and allowing MULES background checks instantaneously in the case of emergency placements of children in other homes.

Senator Dougherty requested members who would like to provide comments or suggestions to Senate Bill 543 to contact him.

Representative Stevenson announced that a mirror bill has been filed in the House.

III. STRUCTURED DECISION MAKING

Denise Cross, Director of DFS, advised the Commission on a project called "Structured Decision Making" (SDM). DFS has been working on SDM for approximately one year. The purpose of SDM is to provide structure and consistency at critical decision making points in a child welfare case. SDM uses objective, comprehensive and easy to use assessment tools and will initially be used by the 50 staff members working at the child abuse/neglect hot line. SDM will allow protection of children through improving consistency in the way hot line calls are categorized, in the way risk is assessed, and in the prioritization of response.

It is the intention of DFS to extend SDM to the individual counties who investigate hot line calls referred by the central hot line staff. SDM is still several months away from full implementation.

IV. STATE AUDITOR CLAIRE McCASKILL

State Auditor Claire McCaskill presented the December 28, 2002, audit of the child abuse and neglect reporting and response system. Ms. McCaskill stated that the recommendations in this report include adoption of SDM. Her staff traveled to Michigan to interview Michigan workers about the Structured Decision Making (SDM) model. Responses were varied as to the effectiveness

of SDM; however, those interviewed agreed that SDM was an excellent training tool for new workers.

Ms. McCaskill advised that the biggest problem in conducting the audit was that mandated reporters felt that hot line calls were not treated seriously. Some mandated reporters stated they had added information in order to enhance the complaint in an effort to get an investigation started.

Ms. McCaskill stated that Missouri needs to keep data on child abuse/neglect cases similar to data kept by the child fatality review panel. Ms. McCaskill advised that the foster care audit has been completed; however, DFS has not yet made its responses to the findings. Thus, Ms. McCaskill did not make a formal presentation on the foster care audit.

V. BREAKOUT WORKGROUPS

The Commission broke into the workgroups delineated in the previous minutes.

The full Commission reconvened, at which time Group One gave its report on prevention and efforts to prevent removal.

VI. NEXT MEETING/ADJOURNMENT

The Chair advised that the next meeting would begin with breaking into workgroups. After the workgroups have individual discussion, the Commission will reconvene to hear reports from each of them.

Other Commission agenda items and presentations will follow the workgroups.

There will be no Commission meeting on March 24, 2003. In lieu of the meeting, a draft interim report will be circulated. The Chair requested that comments be submitted in a timely manner.

The next meeting will be held March 10, 2003, in the Division II Courtroom, Missouri Supreme Court, Jefferson City, Missouri.